

Remarks

Applicants respectfully request reconsideration of the present U.S. Patent application as amended herein. Claims 1 and 15 have been amended. Claims 6-14, 19 and 20 have been canceled previously. No claims have been added. Thus, claims 1-5 and 16-19 are pending.

CLAIM REJECTIONS – 35 U.S.C. § 103(a)

Claims 1-5 and 15-18 were rejected as being unpatentable over U.S. Patent Publication No. 2006/0242325 of Ramaswamy, et al. (*Ramaswamy*) in view of U.S. Patent Publication No. 2006/0242325 of Deshpande (*Deshpande*) and U.S. Patent Publication No. 2002/0073138 of Gilbert, et al. (*Gilbert*). For at least the reasons set forth below, Applicants submit that claims 1-5 and 15-18 are not rendered obvious by *Ramaswamy*, *Deshpande* and *Gilbert*.

Claim 1 recites:

execute a discoverable home network transcoder server utilizing a Universal Plug and Play (UPnP) protocol to communicatively couple to a media server to receive media signals from the media server, to convert the media signals to a format compatible with more than one media renderers, to advertize availability of the converted media signals, and to transmit the converted signals to the more than one media renderers, wherein the media signals are converted by the discoverable home network transcoder server before the media signals are requested by any of the more than one media renderers in response to monitoring of the media server and transcoding of new content when the new content becomes available on the media server.

Thus, Applicants claim transcoding (or converting) data before it is requested by a media renderer (see, for example, paragraph 0029) by monitoring the media server (see, for

example, paragraph 0029). The transcoded file is advertized by the media server at the conclusion of the transcoding process.

Ramaswamy does not expressly or inherently disclose transcoding (or converting) data *before* it is requested by a media renderer. Figure 4 merely shows conversion before retransmission. The cited passage of *Ramaswamy* merely discusses transcoding (as opposed to transrating) prior to retransmission. At best, *Ramaswamy* is silent on the issue. Further, *Ramaswamy* does not teach or suggest monitoring the media server.

Deshpande is cited to teach UPnP protocols. See Office Action at page 3. However, *Deshpande* does not cure the deficiencies of *Ramaswamy* set forth above. Therefore, no combination of *Deshpande* and *Ramaswamy* can teach or suggest the invention as recited in claim 1 or any claim that depends therefrom.

Gilbert is cited to teach monitoring availability of files. While *Gilbert* may disclose monitoring of a server, *Gilbert* is directed to removal of identification information from available files. This has nothing in common with transcoding of media files. Therefore, the proposed modification of the cited references would require change to the principles of operation embodied in the cited references. That is, the Office Action proposes use of a specific frame for a different purpose than described in the reference or the standard.

The proposed modification of the prior art cannot change the principle of operation. See MPEP §2143.01(VI). If the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims *prima facie* obvious. In re Ratti, 270 F.2d 810, 123 USPQ 349 (CCPA 1959). A

proposed modification is invalid if the “suggested combination of references would require a substantial reconstruction and redesign of the elements shown in [the primary reference] as well as a change in the basic principle under which [it] ... was designed to operate.” Id., 270 F.2d at 813, 123 USPQ at 352. Accordingly, Applicants submit that the proposed combination not only does not result in the claimed invention if modified in the manner described in the Office Action, the combination is improper.

Claim 15 recites:

incorporating a home network media renderer by a client of a home network, the client being a module in a web browser having a network application program that supports a first media file format for the home network media renderer;
encoding the home network media renderer in the first media file format to support media files of the first media file format;
converting a media file to a second media file format before receiving a request for the media file in response to monitoring of the media server and transcoding of new content when the new content becomes available on the media server;
advertising availability of the media file in the second media format with the media server;
requesting from a media server with the network application program of the client the media file in the second media file format; and
recognizing with a discoverable home network transcoder server utilizing a Universal Plug and Play (UPnP) protocol that the media file is of the second media file format and converting the home network media renderer of the network application program to the second media file format prior to providing the media file to the web browser module of the client.

Thus, Applicants claim transcoding data before it is requested by a media renderer by monitoring the media server and advertising the availability of the converted media file.

As discussed above, no combination of *Ramaswamy*, *Deshpande* and *Gilbert* appears to teach or suggest disclose transcoding data before it is requested by a media

renderer by monitoring the media server. Therefore, no combination of *Ramaswamy*, *Deshpande* and *Gilbert* can render obvious claim 15 or any claim that depends therefrom.

CONCLUSION

For at least the foregoing reasons, Applicants submit that the rejections have been overcome. Therefore, claims 1-5 and 16-19 are in condition for allowance and such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present application. Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,
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